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LETTER DATED 9 JANUARY 1998 FROM THE PERMANENT REPRESENTATIVE OF THE LIBYAN ARAB JAMAHIRIYA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I should like to call the attention of the Security Council to two matters on which there has been extensive discussion and comment in media and official circles in recent days.

1. There is the issue of the United States national Richard Bliss, who was accused of spying in the Russian Federation, was released on parole by the Russian authorities on humanitarian grounds in order to spend the Christmas holidays with his family in California and failed to return to the Russian Federation at the agreed time to stand trial. In this connection, the news media (e.g. the Associated Press on 8 January 1998) quoted a United States official, who spoke on condition of anonymity, as saying that forcing Mr. Bliss to return to the Russian Federation for trial would have been impossible because there is no extradition treaty between the United States of America and the Russian Federation.

2. There is the issue of the Rwandan clergyman Elizaphan Ntakirutimana, who is being sought by Rwanda and by the International Tribunal for Rwanda (established by the Security Council) on charges of having been involved in the inter-ethnic war crimes committed in Rwanda in 1994. Marcel C. Notzon, the Federal magistrate-judge in Laredo, Texas, who was considering his extradition, released him on grounds that the 1996 agreement between the United States of America and the International Tribunal for Rwanda was unconstitutional. (See The New York Times for 30 December 1997.)

I call the Security Council's attention to these two cases and request it to take good note of them while observing that they are, needless to say, merely two further instances in which it is abundantly clear that the United States of America is pursuing a policy of the double standard. If this were not the case, then how could the United States Administration fail to recognize that Libyan nationals, such as the two who are merely suspected of involvement in the regrettable Pan Am flight 103 incident at Lockerbie, have the constitutional, legal and humanitarian right, as conferred by such international agreements as

the 1971 Montreal Convention for the Suppression of Unlawful Acts against Civil Aviation and by the principles of human rights, to be tried by the Libyan judicial system, namely the natural jurisdiction? At the same time, it confers this same right on its own nationals and even on those who are not its nationals.

It has become well known that there are no reciprocal agreements between Libya and the two countries involved in this issue.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Abuzed Omar DORDA
Permanent Representative